

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMES DOE,  
Plaintiff,

v.

STATE FARM GENERAL INSURANCE  
COMPANY,  
Defendant.

Case No. [3:23-cv-04734-JSC](#)

**ORDER DENYING PLAINTIFF'S  
NOTICE OF WITHDRAWAL OF  
COUNSEL**

Re: Dkt. No. 34

The Court is in receipt of Stephen M. Wallace's Notice of Withdrawal as Plaintiff's counsel. (Dkt. No. 34.)

In this District, "[c]ounsel may not withdraw from an action until relieved by order of Court after written notice has been given reasonably in advance to the client and to all other parties who have appeared in the case." Civil Local Rule 11-5(a). The decision to permit withdrawal of counsel is within the trial court's discretion. *See United States v. Carter*, 560 F.3d 1107, 1113 (9th Cir. 2009).

When considering motions to withdraw, courts consider (1) the reasons counsel seeks to withdraw; (2) the possible prejudice that withdrawal may cause to other litigants; (3) the harm that withdrawal might cause to the administration of justice; and (4) the extent to which withdrawal will delay resolution of the case. *See Deal v. Countrywide Home Loans*, 2010 WL 3702459, at \*2 (N.D. Cal. Sept. 15, 2010).

Mr. Wallace's notice does not include any motion to withdraw or explanation of why he is withdrawing. Further, while Mr. Wallace indicates he has provided notice to State Farm's counsel, he nowhere represents he has provided the required notice to his client. (Dkt. No. 34 at 2.)

1 Accordingly, Plaintiff's Notice of Withdrawal is DENIED without prejudice to filing a  
2 properly supported motion to withdraw. For now, Stephen M. Wallace remains as counsel of  
3 record for Plaintiff.

4 **IT IS SO ORDERED.**

5 Dated: April 15, 2024

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8 JACQUELINE SCOTT CORLEY  
9 United States District Judge  
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